

**SUPREME COURT MINUTES  
WEDNESDAY, OCTOBER 31, 2001  
SAN FRANCISCO, CALIFORNIA**

S100485      The People, Plaintiff and Respondent  
2nd Dist.      v.  
B142261      Michael Linn, Defendant and Appellant  
Div. 6      Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Sparks*, S098290, and *People v. Engelman*, S086462 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.  
Kennard, J.  
Baxter, J.  
Werdegarr, J.  
Chin, J.  
Brown, J.  
Moreno, J.

S101003      Jose E. Cruz, Plaintiff and Respondent  
1st Dist.      v.  
A093002      Pacificare Health Systems Inc., Defendant and Appellant  
Div. 2      Petition for review GRANTED.

George, C.J.  
Kennard, J.  
Baxter, J.  
Werdegarr, J.  
Chin, J.  
Brown, J.



S100231 Marshall Wittkopf, Plaintiff and Appellant  
2nd Dist. v.  
B139304 Los Angeles County, Defendant and Appellant  
Div. 7 Further action in this matter is deferred pending consideration and disposition of a related issue in *Colmenares v. Braemar Country Club, Inc.*, S098895 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

S100360 The People, Plaintiff and Respondent  
1st Dist. v.  
A090989 Christopher Francisco Posey, Defendant and Appellant  
Div. 4 In addition to the questions raised in the petition for review, the court requests the parties to address the following issues in their briefing and argument:  
1. In the absence of legislative action, may and should this court reconsider past California decisions holding that the issue of venue presents a question of fact to be determined by the jury rather than a legal question to be determined by the court? (See *People v. Simon* (2001) 25 Cal.4th 1082, 1110, fn. 18.)  
2. If the court were to reconsider and to modify the rule, should any change be retroactive or prospective?

S100277 Jay N. Nguyen et al., Plaintiffs and Respondents  
1st Dist. v.  
A090094 Steve Aronovsky, Defendant and Appellant  
Div. 5 Petition for writ of mandate DENIED.

S100756 Ket Hawkins, Petitioner  
3rd Dist. v.  
C039172 Sacramento County Superior Court, Respondent  
Albert L. Seastrand et al., Real Parties in Interest  
Petition for writ of mandate DENIED.

- S101347      Juan Artez Harrison, Petitioner  
                 v.  
                 Court of Appeal, Third Appellate District, Respondent  
                 People, Real Party in Interest  
                 Original petition for writ of mandate and request for immediate  
                 relief denied.
- S101432      Craig Henry Post, Petitioner  
                 v.  
                 Court of Appeal, Second Appellate District, Respondent  
                 People, Real Party in Interest  
                 Petition for writ of mandate DENIED.
- S101578      William J. Garbett, Petitioner  
                 v.  
                 California Energy Commission, Respondent  
                 Calpine Corporation et al., Real Parties in Interest  
                 Application for stay and petition for writ of mandate DENIED.

Orders were filed in the following matters denying petition for writ of habeas corpus:

- S087945   - In re Kenneth Cray on Habeas Corpus.
- S091537   - In re Mario R. Stevens on Habeas Corpus
- S091538   - In re Vernis Ray Davison on Habeas Corpus.
- S092073   - In re Arturo Castellanos on Habeas Corpus.
- S092324   - In re Timothy James Falkner on Habeas Corpus
- S092728   - In re Charles T. Davis on Habeas Corpus.
- S094733   - In re Robert Jackson on Habeas Corpus.
- S095388   - In re Ang Jerry Xiong on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)

- S096502 - In re Desmond C. Jones on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Lindley* (1947) 29 Cal.2d 709; *In re Dixon* (1953) 41 Cal.2d 756; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)
- S096674 - In re Frank James Licher, IV on Habeas Corpus.
- S096703 - In re Larry Williams on Habeas Corpus.
- S096710 - In re Charles Thomas on Habeas Corpus.
- S096922 - In re Gary D. Brasuell on Habeas Corpus.
- S096923 - In re Robert Bayly on Habeas Corpus.
- S096937 - In re Jesus Manuel Gonzalez on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S096994 - In re Cesar Rodriguez on Habeas Corpus.
- S097036 - In re Steven Hypolite on Habeas Corpus.
- S097037 - In re John F. Kendrick on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218.)
- S097040 - In re David L. Stroud on Habeas Corpus.
- S097048 - In re Carlos Orosco on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Dixon* (1953) 41 Cal.2d 756; *People v. Hill* (1973) 9 Cal.3d 784, 786-787.)
- S097049 - In re John Silva on Habeas Corpus.
- S097059 - In re Samuel J. Ramirez on Habeas Corpus.
- S097061 - In re Edward E. Villegas on Habeas Corpus.

- S097062 - In re Donald Gene Phillips on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Dixon* (1953) 41 Cal.2d 756; *In re Waltreus* (1965) 62 Cal.2d 218; *In re Lindley* (1947) 29 Cal.2d 709.)
- S097079 - In re Jaime Cerna on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218; *In re Dixon* (1953) 41 Cal.2d 756; *People v. Hill* (1973) 9 Cal.3d 784, 786-787; *In re Lindley* (1947) 29 Cal.2d 709.)
- S097086 - In re David Jesus Faris on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218.)
- S097091 - In re Paul Michael Adams on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734.)
- S097118 - In re David W. Hooker on Habeas Corpus.
- S097138 - In re Ernest Jacinto Velasco on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218.)
- S097140 - In re Michael G. Evans on Habeas Corpus.
- S097169 - In re Juan H., a Minor, on Habeas Corpus.
- S097175 - In re Edward Love on Habeas Corpus.
- S097176 - In re Hubert D. Smith on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Dexter* (1979) 25 Cal.3d 921.)
- S097243 - In re Phillip Montiero on Habeas Corpus.
- S097252 - In re George Michael Lane on Habeas Corpus.
- S097270 - In re King Cheung Tam on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Wessley W.* (1981) 125 Cal.App.3d 240, 246; *In re Azurin* (2001) 87 Cal.App.4th 20.)

- S097293 - In re Adisa Gamba Oluwa on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Dexter* (1979) 25 Cal.3d 921.)
- S097295 - In re Raymond Keith Reviere on Habeas Corpus.
- S097302 - In re Paul Dufrisne on Habeas Corpus.
- S097312 - In re Eddie Gallardo on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S097323 - In re Timothy Marion on Habeas Corpus.
- S097337 - In re Rickey Bates on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S097338 - In re Carl Anthony Vaughan on Habeas Corpus.
- S097350 - In re Hayatulah Rahimi on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218.)
- S097351 - In re Frank B. Cockrell on Habeas Corpus.
- S097402 - In re Mike Yellen on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Dexter* (1979) 25 Cal.3d 921.)
- S097409 - In re Wayne Lavert Chatman on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Waltreus* (1965) 62 Cal.2d 218.)
- S097440 - In re Joseph Lamont Richard on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218.)
- S097457 - In re David Dutra on Habeas Corpus.
- S097461 - In re Steven James Parker on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Lindley* (1947) 29 Cal.2d 709; *In re Dixon* (1953) 41 Cal.2d 756.)

- S097479 - In re Youry G. Gomez on Habeas Corpus.
- S097501 - In re Earl G. Snoody on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S097510 - In re Larry Vickers on Habeas Corpus.
- S097515 - In re Lamonti Mitchell on Habeas Corpus.
- S097519 - In re Robert Peterson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756; *In re Lindley* (1947) 29 Cal.2d 709.)
- S097520 - In re Mark Anthony Glass on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S097525 - In re Donald George Fletcher on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Duvall* (1995) 9 Cal.4th 464, 474; *In re Waltreus* (1965) 62 Cal.2d 218.)
- S097528 - In re Adrian Lewis on Habeas Corpus.
- S097534 - In re Gregory Gadlin on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750.)
- S097591 - In re Andrew Leander Wilson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Duvall* (1995) 9 Cal.4th 464, 474.)
- S097608 - In re Ernest Leonard Detore on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Duvall* (1995) 9 Cal.4th 464, 474; *In re Dixon* (1953) 41 Cal.2d 756.)



- S097628 - In re Eduardo Alvarado Gallegos on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits and as untimely. (*In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S097629 - In re Ronald Wesley Samson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Waltreus* (1965) 62 Cal.2d 218; *In re Miller* (1941) 17 Cal.2d 734; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dixon* (1953) 41 Cal.2d 756.)
- S097631 - In re Floyd E. Masterson on Habeas Corpus. Petition for writ of habeas corpus is DENIED on the merits and as untimely. (*In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S097670 - In re Johnny Paul Quintana on Habeas Corpus.
- S097673 - In re Dennis Roy White on Habeas Corpus.
- S097710 - In re Jimmy Charles Stroup on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Dixon* (1953) 41 Cal.2d 756; *In re Waltreus* (1965) 62 Cal.2d 218.)
- S097758 - In re James Benson on Habeas Corpus.
- S097776 - In re Ahmad Hasan on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Duvall* (1995) 9 Cal.4th 464, 474.)
- S097792 - In re Jesse James Montiel on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218.)
- S097793 - In re Sam Consiglio on Habeas Corpus.
- S097806 - In re Glen Flourney on Habeas Corpus.
- S097858 - In re Charles Long Chen on Habeas Corpus.

- S097862 - In re Kirk Tillman on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Duvall* (1995) 9 Cal.4th 464, 474; *In re Dixon* (1953) 41 Cal.2d 756.)
- S097881 - In re Sammy Williams on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750.)
- S097884 - In re Anphong Duc Nguyen on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218.)
- S097885 - In re Manse Sullivan et al. on Habeas Corpus.
- S097887 - In re Tyrone T. Turner on Habeas Corpus.
- S097898 - In re Larry D. Edwards on Habeas Corpus.
- S097909 - In re Steven Allen Deay on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218.)
- S097917 - In re Ronald L. Duncan on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Lindley* (1947) 29 Cal.2d 709; *In re Dixon* (1953) 41 Cal.2d 756.)
- S097942 - In re Frumencio Ortega on Habeas Corpus.
- S097943 - In re Kenneth Ray Stokes on Habeas Corpus.
- S097944 - In re Anthony C. Alto on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921.)
- S097957 - In re Douglas Crawford on Habeas Corpus.
- S097965 - In re Willie Cedric Cooper on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Miller* (1941) 17 Cal.2d 734; *In re Waltreus* (1965) 62 Cal.2d 218; *In re Dixon* (1953) 41 Cal.2d 756; *In re Clark* (1993) 5 Cal.4th 750.)

- S097969 - In re Pedro Gutierrez on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Waltreus* (1965) 62 Cal.2d 218; *In re Dixon* (1953) 41 Cal.2d 756.)
- S097970 - In re Gregory Carter on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Duvall* (1995) 9 Cal.4th 464, 474; *In re Waltreus* (1965) 62 Cal.2d 218. *In re Dixon* (1953) 41 Cal.2d 756.)
- S097975 - In re Ricardo Medina Meza on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218; *In re Lindley* (1947) 29 Cal.2d 709, 723.)
- S097978 - In re Henry Kincy on Habeas Corpus.
- S097980 - In re Michael Purintun on Habeas Corpus.
- S097990 - In re Shawn Wayne Jacobs on Habeas Corpus.
- S097994 - In re Cornelius Anderson on Habeas Corpus.
- S098015 - In re Emilio Godoy on Habeas Corpus.
- S098031 - In re William James Meyers on Habeas Corpus.
- S098049 - In re Stephen Mack on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Lindley* (1947) 29 Cal.2d 709; *In re Dixon* (1953) 41 Cal.2d 756; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S098052 - In re Vincent Shepard on Habeas Corpus.
- S098054 - In re Leonard Butler on Habeas Corpus.
- S098071 - In re Anthony K. Watson on Habeas Corpus.
- S098120 - In re Cris Mitchell on Habeas Corpus.
- S098204 - In re Jeremy R. Curtis on Habeas Corpus.

- S098215 - In re Riyaz Ali on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Duvall* (1995) 9 Cal.4th 464, 474; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756.)
- S098314 - In re Esdvin Flores on Habeas Corpus.
- S098325 - In re Travis Lindsay on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See Pen. Code, §§ 3000, subd.(b), 3057; *People v. Jefferson* (1999) 21 Cal.4th 86, 95-96.)
- S098327 - In re Agapito Ruvalcaba on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See Pen. Code, §§ 3000, subd.(b)(1), 3057; *People v. Jefferson* (1999) 21 Cal.4th 86, 95-96.)
- S098340 - In re Robert Mathis on Habeas Corpus.
- S098347 - In re Jose Angel Alvarez on Habeas Corpus.
- S098349 - In re Jason F. Garone on Habeas Corpus.
- S098366 - In re Franklin Ramirez Carillo on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S098370 - In re Russell Tinsley on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Duvall* (1995) 9 Cal.4th 464, 474; *In re Dixon* (1953) 41 Cal.2d 756.)
- S098390 - In re Angel Gudino on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)
- S098438 - In re Barney Lyons on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921.)

- S098447 - In re Gean Tarver on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S098467 - In re Calvin Woods on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750.)
- S098468 - In re Cipriano Valdez on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Duvall* (1995) 9 Cal.4th 464, 474.)
- S098516 - In re Jose Luis Malfavon on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Duvall* (1995) 9 Cal.4th 464, 474.)
- S098520 - In re Wayne Pickering on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218; *In re Lessard* (1965) 62 Cal.2d 497, 503; *In re Dixon* (1953) 41 Cal.2d 756; *In re Clark* (1993) 5 Cal.4th 750; *In re Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S098521 - In re Jerry Lamar Leigh on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S098550 - In re Marion Franklyn Miller, Jr. on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Dexter* (1979) 25 Cal.3d 921.)
- S098553 - In re Kenneth Lee Wade on Habeas Corpus.
- S098555 - In re William L. Stewart Jr. on Habeas Corpus.
- S098560 - In re Richard Stewart on Habeas Corpus.
- S098561 - In re Anthony Dupree on Habeas Corpus.
- S098562 - In re James C. Dulaney on Habeas Corpus.
- S098566 - In re Andre Oliphant on Habeas Corpus.

- S098570 - In re Duane A. Webb on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750.)
- S098591 - In re Larry D. Holt on Habeas Corpus.
- S098595 - In re Bun Roeung Vann on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S098626 - In re David Galvez on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Dixon* (1953) 41 Cal.2d 756.)
- S098635 - In re Joseph Paul Hart on Habeas Corpus.
- S098637 - In re Byron L. Wattree on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S098650 - In re Cubby Lee French on Habeas Corpus.
- S098654 - In re Salvador Garcia Hernandez on Habeas Corpus.
- S098659 - In re Marlow Johnson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S098662 - In re Parry Leroy Manuel on Habeas Corpus.
- S098663 - In re Anthony E. Kilgore on Habeas Corpus.
- S098664 - In re Manuel Exequiel Martinez on Habeas Corpus.
- S098676 - In re Michael Miller on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Dixon* (1953) 41 Cal.2d 756.)
- S098677 - In re Timothy Ray Baker on Habeas Corpus.
- S098679 - In re Ted Lewis on Habeas Corpus.

- S098685 - In re Adrian Eugene Moore on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S098703 - In re Carlos Arevalo on Habeas Corpus.
- S098708 - In re Manuel Lara on Habeas Corpus.
- S098711 - In re Tony Sledge on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Lindley* (1947) 29 Cal.2d 709; *In re Dixon* (1953) 41 Cal.2d 756; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S098719 - In re Peter Earl Burza on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Miller* (1941) 17 Cal.2d 734; *In re Clark* (1993) 5 Cal.4th 750.)
- S098726 - In re John Manuel Garcia, Jr. on Habeas Corpus.
- S098733 - In re Hubert Smith on Habeas Corpus.
- S098748 - In re Robert Lee Robins Jr. on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dexter* (1979) 25 Cal.3d 921; *In re Duvall* (1995) 9 Cal.4th 464, 474.)
- S098752 - In re Frank Hawkins on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S098754 - In re Israel Gutierrez on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218.)
- S098759 - In re Paul D. Moser on Habeas Corpus.
- S098761 - In re Edwin Womack on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Miller* (1941) 17 Cal.2d 734.)
- S098764 - In re Oscar J. Chang on Habeas Corpus.

- S098776 - In re Lee Costa Collins on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734.)
- S098777 - In re Robert Mansfield on Habeas Corpus.
- S098778 - In re Roy M. Johnson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Lindley* (1947) 29 Cal.2d 709.)
- S098782 - In re Zackery D. Hunt on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Dixon* (1953) 41 Cal.2d 756; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Duvall* (1995) 9 Cal.4th 464, 474; *In re Clark* (1993) 5 Cal.4th 750.)
- S098786 - In re Samuel Lee White on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S098796 - In re Darin Williams on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Duvall* (1995) 9 Cal.4th 464, 474.)
- S098815 - In re Louis Tamale on Habeas Corpus.
- S098831 - In re Steven Ray Morris on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750.)
- S098833 - In re Floyd Lowe on Habeas Corpus.
- S098837 - In re Vu A. Pham on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S098839 - In re Robert Earl Esclovon on Habeas Corpus.
- S098842 - In re Marcos Vasquez on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218; *In re Dixon* (1953) 41 Cal.2d 756.)



- S098860 - In re William James Harris on Habeas Corpus.
- S098866 - In re Antjuan Cox on Habeas Corpus.
- S098888 - In re Cipriano C. Licea on Habeas Corpus.
- S098903 - In re Sergio Barajas on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S098904 - In re Leopoldo C. Navarro on Habeas Corpus.
- S098918 - In re Martin B. Perrell on Habeas Corpus.
- S098920 - In re Kenneth Hargett on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218.)
- S098936 - In re Gilbert Lee Scott on Habeas Corpus.
- S098940 - In re Rodwick R. Johnson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Clark* (1993) 5 Cal.4th 750.)
- S098968 - In re Alvin Morris on Habeas Corpus.
- S098969 - In re Carlos S. Smith on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Dixon* (1953) 41 Cal.2d 756.)
- S098977 - In re Archie Delaney on Habeas Corpus.
- S098996 - In re Lawrence Gilliam on Habeas Corpus.
- S099015 - In re Randall Keith Lilly on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S099016 - In re Eric M. Braswell on Habeas Corpus.
- S099020 - In re William James Johnson III on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Lindley* (1947) 29 Cal.2d 709.)
- S099022 - In re Dominic Bannister on Habeas Corpus.

- S099037 - In re Willis Ray Brown on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Dixon* (1953) 41 Cal.2d 756.)
- S099049 - In re Rory Lavelle Dungey on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S099057 - In re Freddie Dean Snider on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Miller* (1941) 17 Cal.2d 734; *In re Clark* (1993) 5 Cal.4th 750.)
- S099066 - In re Gregory Davenport on Habeas Corpus.
- S099107 - In re Mark Hamilton on Habeas Corpus.
- S099112 - In re Kevin O. Craig on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218.)
- S099116 - In re George W. Burks on Habeas Corpus.
- S099117 - In re Don Daniel on Habeas Corpus.
- S099123 - In re Carlos Duran on on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Waltreus* (1965) 62 Cal.2d 218.)
- S099133 - In re Oliver Jose Brown on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Waltreus* (1965) 62 Cal.2d 218; *In re Lindley* (1947) 29 Cal.2d 709; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
- S099134 - In re Robert Di Blasi on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Dixon* (1953) 41 Cal.2d 756; *In re Swain* (1949) 34 Cal.2d 300, 304.)
- S099193 - In re Marlow Johnson Jr. on Habeas Corpus.
- S099211 - In re Don Jones on Habeas Corpus. Petition for writ of habeas

corpus is DENIED. (See *In re Dixon* (1953) 41 Cal.2d 756; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S099212 - In re James Whittington on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218; *In re Lessard* (1965) 62 Cal.2d 497, 503.)

S099218 - In re Donald Divac on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See Pen. Code, §§ 3000, subd. (b)(1); 3057; *People v. Jefferson* (1999) 21 Cal.4th 86, 95-96.)

S099234 - In re Joseph R. Alvarado on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Waltreus* (1965) 62 Cal.2d 218; *In re Dixon* (1953) 41 Cal.2d 756.)

S099236 - In re Dale T. Clements on Habeas Corpus.

S099246 - In re Anthony B. Miron on Habeas Corpus.

S099267 - In re Pascal Ravaux on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See Pen. Code, §§ 3000, subd. (b)(1); 3057; *People v. Jefferson* (1999) 21 Cal.4th 86, 95-96.)

S099269 - In re Gary Stephen Danielson on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Dixon* (1953) 41 Cal.2d 756.)

S099270 - In re Robert L. Clough on Habeas Corpus. Petition for writ of habeas corpus is DENIED. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Duvall* (1995) 9 Cal.4th 464, 474; *In re Dixon* (1953) 41 Cal.2d 756.)

1st Dist.      Randeep Singh, Appellant  
A089252      v.  
Div. 3      City of Berkeley, Respondent  
S100874      Petition for review DENIED.

1st Dist.      People, Respondent  
A090187      v.  
Div. 2      Mark Thomas Cofield, Appellant  
S100295      Petition for review DENIED.

1st Dist.  
A091043  
Div. 4  
S100813

People, Respondent  
v.  
Reginald Lee Thorpe, Appellant  
Petition for review DENIED.

1st Dist.  
A091268  
Div. 4  
S100911

People, Respondent  
v.  
Paul David Johnson, Appellant  
Petition for review DENIED.

1st Dist.  
A091278  
Div. 3  
S100865

People, Respondent  
v.  
Christopher Sudduth, Appellant  
Petition for review DENIED.

1st Dist.  
A091281  
Div. 2  
S100824

People, Respondent  
v.  
Joseph M. Stevenson, Appellant  
Petition for review DENIED.

1st Dist.  
A091289  
Div. 5  
S098111

People, Respondent  
v.  
Paul D. Walls, Appellant  
Petition for review DENIED.

1st Dist.  
A092450  
Div. 3  
S099923

People, Respondent  
v.  
Jacob Wayne Hutchins, Appellant  
Petition for review DENIED.

1st Dist.  
A092692  
Div. 1  
S100792

People, Respondent  
v.  
Joseph Archie Bernier, Appellant  
Petition for review DENIED.

1st Dist.  
A093368  
Div. 1  
S100478

People, Respondent  
v.  
Anita M. McMasater, Appellant  
Petition for review DENIED.

1st Dist. A093710 Div. 5 S101033	Estate of Jeff McNeal, Deceased ----- Joyce Gonzales McNeal, Appellant v. Climmie Turner McNeal, Respondent Petition for review DENIED.
1st Dist. A095176 Div. 4 S100488	Rodney Thomas, Petitioner v. Solano County Superior Court, Respondent People, Real Party in Interest Petition for review DENIED.
1st Dist. A095901 Div. 3 S100459	Francisco Foods, Inc., Petitioner v. Sonoma County Superior Court, Respondent Jamie Hidalgo, a Minor, etc., Real Party in Interest Petition for review DENIED.
1st Dist. A095958 Div. 1 S101022	Bank of America, Petitioner v. San Francisco County Superior Court, Respondent Martin B.L. Novoa, Real Party in Interest Petition for review DENIED. Chin, J., was recused and did not participate.
1st Dist. A096069 Div. 1 S101021	Legato Systems et al., Petitioners v. San Mateo County Superior Court, Respondent Mead Ann Carrillo Family Trust et al., Real Parties in Interest Application for stay and petition for review DENIED.
1st Dist. A096086 Div. 3 S100653	Lorraine Jordan, Petitioner v. Appellate Division of the Superior Court of Alameda County, Respondent Frank Offen, Real Party in Interest Petition for review DENIED.

1st Dist. A096144 Div. 4 S100989	Joseph F. Brazil, Jr., Appellant v. John Brazil et al., Respondents Application for stay and petition for review DENIED.
2nd Dist. B132284 Div. 2 S100331	People, Respondent v. Adolfo Parga et al., Appellants Petitions for review DENIED.
2nd Dist. B133760 Div. 6 S100487	People, Respondent v. David Jay McGee, Appellant Petition for review DENIED. Brown, J., is of the opinion the petition should be granted.
2nd Dist. B135132 Div. 4 S100223	Marla Des Ermia et al., Plaintiffs and Respondents v. Aerospace Defense Related Industry District Lodge 725, Defendant and Appellant Petition for review DENIED.
2nd Dist. B139146 Div. 7 S100184	People, Respondent v. Michael Anthony Powell, Appellant Petition for review DENIED.
2nd Dist. B140110 Div. 1 S100962	Miguel Angel Hernandez, Appellant v. City of Los Angeles, Respondent Petition for review DENIED.
2nd Dist. B140773 Div. 6 S100143	People, Respondent v. Louis Calderon et al., Appellants Petitions for review DENIED.
2nd Dist. B140784 Div. 7 S100991	Joseph Dibuduo, Appellant v. Southern California Edison Company, Respondent Petition for review DENIED.

2nd Dist.  
B141175  
Div. 2  
S100442

People, Respondent  
v.  
Robert Michael Ortega, Appellant  
Petition for review DENIED.

2nd Dist.  
B141500  
Div. 7  
S100961

People, Respondent  
v.  
Rick A. Johnson, Appellant  
Petition for review DENIED.

2nd Dist.  
B142241  
Div. 5  
S101031

People, Respondent  
v.  
Tatiana Belenkaya, Appellant  
Petition for review DENIED.

2nd Dist.  
B142250  
Div. 4  
S100171

People, Respondent  
v.  
Javier Solis, Appellant  
Petition for review DENIED.

2nd Dist.  
B142270  
Div. 2  
S100975

People, Respondent  
v.  
Susan Inez Wheeler, Appellant  
Petition for review DENIED.

2nd Dist.  
B142679  
Div. 1  
S100872

People, Respondent  
v.  
Erick Raymundo Gonzalez, Appellant  
Petition for review DENIED.

2nd Dist.  
B142802  
Div. 5  
S100751

People, Respondent  
v.  
Tyrone Evans, Appellant  
Petition for review DENIED.

2nd Dist.  
B142854  
Div. 5  
S100960

Joseph Raymond Zaragoza, Appellant  
v.  
Daniel G. Davis, Respondent  
Petition for review DENIED.

2nd Dist. B142860 Div. 3 S100946	People, Respondent v. Charles Anthony Rice, Appellant Petition for review DENIED.
2nd Dist. B143009 Div. 6 S101006	People, Respondent v. Robert Don Imes, Appellant Petition for review DENIED.
2nd Dist. B143398 Div. 3 S100697	Laura Dee Zahn, Plaintiff v. Bill Lockyer et al., Defendants Petition for review DENIED.
2nd Dist. B143633 Div. 7 S101072	People, Respondent v. Albert Franco, Appellant Petition for review DENIED.
2nd Dist. B144158 Div. 7 S100769	People, Respondent v. Gilbert Rene Salazar, Appellant Petition for review DENIED.
2nd Dist. B144240 Div. 5 S100479	People, Respondent v. Michael Lenvell Thomas, Appellant Petition for review DENIED.
2nd Dist. B144266 Div. 1 S101014	People, Respondent v. James Howell, Appellant Petitions for review DENIED.
2nd Dist. B144614 Div. 7 S100823	People, Respondent v. Samuel Anthony Acinelli Jr., Appellant Petition for review DENIED.



2nd Dist. B144875 Div. 1 S100936	People, Respondent v. Oscar Robert Branch, Appellant Petition for review DENIED.
2nd Dist. B145371 Div. 5 S100890	People, Respondent v. Kenneth R. Pride, Appellant Petition for review DENIED.
2nd Dist. B145396 Div. 1 S101252	People, Respondent v. Eugene Lewis, Appellant Petition for review DENIED.
2nd Dist. B145938 Div. 3 S100943	People, Respondent v. Vagen Vardazaryan, Appellant Petition for review DENIED.
2nd Dist. B145968 Div. 1 S100995	People, Respondent v. Raymond Schartman, Appellant Petition for review DENIED.
2nd Dist. B146085 Div. 2 S100866	People, Respondent v. Patrick William Boatwright, Appellant Petition for review DENIED.
2nd Dist. B146345 Div. 6 S100988	Anthony J. Rista, Appellant v. Suzanne Debra Rista (Major), Respondent Petition for review DENIED.
2nd Dist. B146354 Div. 1 S100833	People, Respondent v. Anthony Reynaldo Miller, Appellant Petition for review DENIED.

2nd Dist. B146443 Div. 2 S101058	In re Yusep W., a Person Coming Under the Juvenile Court Law ----- Dept. of Children & Family Svcs., Los Angeles County, Plaintiff and Respondent v. Vidah S., Objector and Appellant Petition for review DENIED.
2nd Dist. B146882 Div. 7 S101040	People, Defendant and Appellant v. Eric C. Polk, Defendant and Appellant Petition for review DENIED.
2nd Dist. B147484 Div. 5 S101019	People, Respondent v. Keith Anderson, Appellant Petition for review DENIED.
2nd Dist. B147873 Div. 6 S100826	People, Appellant v. Joey Alfonso Morgan, Appellant Petition for review DENIED.
2nd Dist. B148102 Div. 4 S100644	STI Outdoor, Petitioner v. Los Angeles County Superior Court, Respondent Eller Media Company, Real Party in Interest Petition for review DENIED. Kennard, J., and Werdegar, J., are of the opinion the petition should be granted. The request for an order directing depublication of the opinion is denied.
2nd Dist. B148154 Div. 7 S100491	Kenneth German, Petitioner v. Los Angeles County Superior Court, Respondent People, Real Party in Interest Petition for review DENIED.

2nd Dist. B151479 Div. 3 S100811	Chaves V. Rogge, Petitioner v. Los Angeles County Superior Court, Respondent People, Real Party in Interest Petition for review DENIED.
2nd Dist. B151958 Div. 5 S101035	Cypress Insurance Company, Petitioner v. Workers' Compensation Appeals Board et al., Respondents Petition for review DENIED.
2nd Dist. B152987 Div. 5 S101063	Walter Burrier, Petitioner v. Los Angeles County Superior Court, Respondent Jose Raul Blanco, Real Party in Interest Petition for review DENIED.
3rd Dist. C031923 S100702	People, Respondent v. Eddie Lee Freeman, Appellant Petition for review DENIED.
3rd Dist. C032643 S100245	People, Respondent v. Hung Phuoc Nguyen, Appellant Petition for review DENIED.
3rd Dist. C032765 S100814	People, Respondent v. Jeremy Thomas Clark, Appellant Petition for review DENIED.
3rd Dist. C033470 S100963	People, Respondent v. Steven Joseph Philpott, Appellant Petition for review DENIED.
3rd Dist. C033735 S100139	People, Respondent v. James Richard Decker, Appellant Petition for review DENIED without prejudice to filing a request

for amended abstract of judgment in the Superior Court of California, County of Shasta, based on the grounds addressed in the Order Modifying Opinion and Denying Rehearing issued by the Court of Appeal, Third Appellate District.

3rd Dist. C033925 S100838	People, Respondent v. Joseph Gideon Hancock, Appellant Petition for review DENIED.
3rd Dist. C033929 S100435	People, Respondent v. Suzanna Savedra Youngblood, Appellant Petition for review DENIED.
3rd Dist. C034016 S100969	People, Respondent v. Johnie Robert Crenshaw, Jr., Appellant Petition for review DENIED.
3rd Dist. C034851 S100949	People, Respondent v. Sopee Khen, Appellant Petition for review DENIED.
3rd Dist. C036112 S101106	People, Respondent v. Joseph David Teran, Appellant Petition for review DENIED.
3rd Dist. C038838 S100387	Simon Pinhas, Petitioner v. Sacramento County Superior Court, Respondent Medical Board of California, Real Party in Interest Petition for review DENIED.
4th Dist. D033946 Div. 1 S100314	People, Respondent v. Brandon Edward Bragg, Appellant Petition for review DENIED.

4th Dist.  
D034974  
Div. 1  
S100468

People, Respondent  
v.  
John E. Harbour, Appellant  
Petition for review DENIED.

4th Dist.  
D035148  
Div. 1  
S100476

People, Respondent  
v.  
Blaine Allen Applin, Appellant  
Petition for review DENIED.

4th Dist.  
D035265  
Div. 1  
S100338

People, Respondent  
v.  
Mark Gordon, Appellant  
Petitions for review DENIED.  
The request for an order directing depublication of the opinion is denied.  
Brown, J., is of the opinion review should be granted.

4th Dist.  
D035348  
Div. 1  
S100172

People, Respondent  
v.  
Bruce Keagy, Appellant  
Petition for review DENIED.

4th Dist.  
D035415  
Div. 1  
S100926

People, Respondent  
v.  
Enver Karafili, Appellant  
Petition for review DENIED.

4th Dist.  
D036393  
Div. 1  
S100403

People, Respondent  
v.  
Ervin Allen Duckett, Appellant  
Petition for review DENIED.

4th Dist.  
D037554  
Div. 1  
S100750

Melissa McDonald et al.,  
Plaintiffs, Cross-defendants and Appellants  
v.  
United National Insurance Company,  
Defendant, Cross-complainant and Respondent  
Petition for review DENIED.

4th Dist. People, Respondent  
E026149 v.  
Div. 2 John Viscarra Diaz, Appellant  
S100336 Petition for review DENIED.

4th Dist. People, Respondent  
E027518 v.  
Div. 2 Alfonso Dukes Necochea, Appellant  
S100281 Petition for review DENIED.

4th Dist. People, Respondent  
E027618 v.  
Div. 2 Desmond Tawain McKey, Appellant  
S101004 Petition for review DENIED.

4th Dist. Nim Yuen Traders, Ltd., Plaintiff and Appellant  
E027836 v.  
Div. 2 Indian Wells Racquet Club Homeowners Association No. 1,  
S100972 Defendants and Respondents  
Petition for review DENIED.

4th Dist. People, Respondent  
E027914 v.  
Div. 2 Gilbert Alonzo Fernandez, Appellant  
S100998 Petition for review DENIED.

4th Dist. People, Respondent  
E028087 v.  
Div. 2 William Fain, Appellant  
S100776 Petition for review DENIED.

4th Dist. In re Dana G., a Person Coming Under the Juvenile Court Law  
E028520 -----  
Div. 2 People, Respondent  
S101013 v.  
Dana G., Appellant  
Petition for review DENIED.

4th Dist. People, Respondent  
E028565 v.  
Div. 2 Billy Dewayne Murray, Appellant  
S100927 Petition for review DENIED.

4th Dist. People, Respondent  
E028631 v.  
Div. 2 Carlos A. Redondo, Appellant  
S101002 Petition for review DENIED.

4th Dist. In re Katie M., a Person Coming Under the Juvenile Court Law  
E028748 -----  
Div. 2 Riverside County Department of Social Services, Respondent  
S100651 v.  
John K., Appellant  
Petition for review DENIED.

4th Dist. Gloria A. Calderon, Appellant  
E029038 v.  
Div. 2 Furon Company, Respondent  
S100859 Petition for review DENIED.

4th Dist. People, Petitioner  
E029933 v.  
Div. 2 San Bernardino County Superior Court, Respondent  
S100689 Gustavo Orlando Ulloa, Real Party in Interest  
Petition for review DENIED.

4th Dist. People, Petitioner  
E029937 v.  
Div. 2 Riverside County Superior Court, Respondent  
S100830 William Keeton, Jr., Real Party in Interest  
Petition for review DENIED.

4th Dist. In re Lawrence George Hash  
E029948 on  
Div. 2 Habeas Corpus  
S100056 Petition for review DENIED.

4th Dist. In re Michael Ray Moody  
E030197 on  
Div. 2 Habeas Corpus  
S100853 Petition for review DENIED.

4th Dist. E030269 Div. 2 S101215	Rene Gonzalez, Petitioner v. Riverside County Superior Court, Respondent People, Real Party in Interest Application for stay and petition for review DENIED.
4th Dist. E030351 Div. 2 S101262	Cleveland Stoudenmire, Petitioner v. Riverside County Superior Court, Respondent People, Real Party in Interest Petition for review DENIED.
4th Dist. G024625 Div. 3 S100934	Robert K. Ameet, Plaintiff and Appellant v. San Joaquin Hills Transportation Corridor Agency et al., Defendants and Respondents Petition for review DENIED.
4th Dist. G025382 Div. 3 S100340	Marta Sklovak, Appellant v. Alex Deyan, Respondent Petition for review DENIED.
4th Dist. G026899 Div. 3 S100930	People, Respondent v. Taj Desean Porch, Appellant Petition for review DENIED.
4th Dist. G029535 Div. 3 S100449	Young Chey et al., Petitioners v. Orange County Superior Court, Respondent Department of Motor Vehicles, Real Party in Interest Petition for review DENIED.
5th Dist. F029415 S100419	Douglas F. Hensley, Appellant v. Patricia McSweeney, Respondent Petition for review DENIED. Kennard, J., Chin, J., Brown, J., , are of the opinion the petition should be granted.



5th Dist. F034503 S100462	Larry Braden et al., Plaintiffs and Respondents v. California Department of Transportation et al., Defendants and Appellants Petition for review DENIED.
5th Dist. F034945 F035460 S100297	People, Respondent v. Jonathan Lael Robinson, Appellant ----- In re Jonathan Lael Robinson on Habeas Corpus Petition for review DENIED.
5th Dist. F034956 S099976	In re Mark Vincent Tedeschi on Habeas Corpus Petition for review DENIED.
5th Dist. F035296 S100856	People, Respondent v. Deandre Marquis Alewine, Appellant Petition for review DENIED.
5th Dist. F035563 S100993	People, Respondent v. Mark Darin Vandenburg, Appellant Petition for review DENIED.
5th Dist. F035824 S100869	People, Respondent v. Guadalupe Guillen, Appellant Petition for review DENIED.
5th Dist. F035880 S100971	People, Respondent v. Isaac Martinez, Appellant Petition for review DENIED. Baxter, J., was recused and did not participate.

5th Dist. F036714 S100879	In re Arnoldo G., a Person Coming Under the Juvenile Court Law ----- People, Respondent v. Arnoldo G., Appellant Petition for review DENIED.
5th Dist. F036859 S101026	In re John F., a Person Coming Under the Juvenile Court Law ----- People, Respondent v. John F., Appellant Petition for review DENIED.
5th Dist. F038181 S100024	E & J Gallo Winery, Petitioner v. Workers' Compensation Appeals Board et al., Respondents Petition for review DENIED. Baxter, J., was recused and did not participate.
5th Dist. F038553 S100815	People, Respondent v. Robert P. Smith III, Appellant Petition for review DENIED. Baxter, J., was recused and did not participate.
5th Dist. F038658 S101074	In re David Paul Ruff on Habeas Corpus Petition for review DENIED. ( <i>In re Robbins</i> (1998) 18 Cal.4th 770, 780; <i>In re Clark</i> (1993) 5 Cal.4th 750, 765; <i>In re Swain</i> (1949) 34 Cal.2d 300, 304; <i>In re Miller</i> (1941) 17 Cal.2d 734, 735.)
5th Dist. F038662 S100947	Herbert Holtzman, Petitioner v. Workers' Compensation Appeals Board, Respondent Petition for review DENIED. Baxter, J., was recused and did not participate.

6th Dist.  
H019717  
S099880  
People, Respondent  
v.  
Tri Minh Thai, Appellant  
Petition for review DENIED.

6th Dist.  
H020432  
S100177  
People, Respondent  
v.  
Dao Duc Lam, Appellant  
Petition for review DENIED.

6th Dist.  
H020459  
S100844  
James Hershman et al., Appellants  
v.  
City of Santa Clara, Respondent  
Petition for review DENIED.

6th Dist.  
H021462  
S100966  
People, Respondent  
v.  
Christopher Ryan Dent, Appellant  
Petition for review DENIED.

6th Dist.  
H021611  
S101012  
People, Respondent  
v.  
Juan Quintero Garcia, Appellant  
Petition for review DENIED.

6th Dist.  
H021801  
S099885  
In re Tri Minh Thai  
on  
Habeas Corpus  
Petition for review DENIED.

6th Dist.  
H021829  
S100921  
People, Respondent  
v.  
Marvalon Fella Gibson, Appellant  
Petition for review DENIED.

6th Dist.  
H023160  
S101062  
Jeff Walker, Petitioner  
v.  
Monterey County Superior Court, Respondent  
California Board of Prison Terms, Real Party in Interest  
Petition for review DENIED.

6th Dist. H023481 S101018	Clifford L. Hight Sr., Petitioner v. Monterey County Superior Court, Respondent Forest River Property Owners Association, Real Party in Interest Petition for review DENIED.
1st Dist. A090516 Div. 2 S100938	People, Respondent v. Christopher Scott Hoag, Defendant and Appellant The request for an order directing publication of the opinion in the above-entitled appeal is denied.
2nd Dist. B143536 Div. 6 S100771	Debra Garrett et al., Appellants v. Jovita D. Manansala et al., Respondents The request for an order directing publication of the opinion in the above-entitled appeal is denied.
2nd Dist. B146589 Div. 1 S100789	In re Gina S., a Person Coming Under the Juvenile Court Law ----- Los Angeles Dept. of Children & Family Svcs., Respondent v. Arlene S., Appellant The request for an order directing publication of the opinion in the above-entitled appeal is denied.
3rd Dist. C032521 S100912	Construction Industry Force Account Council et al., Plaintiffs and Appellants v. City of Sacramento et al., Defendants and Respondents FCI Constructors, Real Party in Interest and Respondent The request for an order directing publication of the opinion in the above-entitled appeal is denied.
4th Dist. D036792 Div. 1 S099863	California Highway Patrol, Petitioner v. Workers' Compensation Appeals Board and Jaime Erebia, Respondents The request for an order directing depublication of the opinion in the above-entitled appeal is denied.

S012279 People, Respondent

v.

David Allan Lucas, Appellant

Good cause appearing, and based on counsel Thomas Lundy's representation that he anticipates filing the appellant's opening brief within 13 months (that is, by October 31, 2002), the application of appellant for an extension of time is granted to December 3, 2001.

S012943 People, Respondent

v.

David Allen Rundle, Appellant

Good cause appearing, the application of appellant for an extension of time in which to file appellant's opening brief is granted to December 26, 2001. The court anticipates that after this extension, only two additional 60-day extensions of time will be granted, and the opening brief in this matter will be filed in the final week of April, 2002. Counsel is directed to inform the Placer County Superior Court of this schedule, and take all steps necessary to meet this schedule.

S024833 People, Respondent

v.

Richard Wade Farley, Appellant

Good cause appearing, and in order to permit incorporation of final editing suggestions by the California Appellate Project, one additional extension of time in which to file appellant's opening brief is granted. Appellant's opening brief shall be served and filed by November 28, 2001. Any brief submitted for filing after that date shall be accompanied by an application for relief from default.

S029011 People, Respondent

v.

Morris Solomon, Jr., Appellant

The last order filed August 29, 2001, granting appellant's counsel's request for an extension of time indicated that no further extensions of time will be granted. Based solely on the representation of counsel Bruce Eric Cohen that he will file appellant's opening brief by December 26, 2001, the request for extension of time is granted, and appellant's opening brief shall be served and filed on or before December 26, 2001.

If the brief is not filed by that date, the court will consider issuing

an order directing appellant's counsel to show cause before this court, when the matter is ordered on calendar, why counsel should not be held in contempt of court and further payments suspended or other sanction imposed for his delay in the appellate process occasioned by the approximately 15 months of extensions of time thus far granted.

S097340 People, Respondent

v.

Jomo K. Bland, Appellant

On application of respondent (Attorney General) and good cause appearing, it is ordered that the time to serve and file respondent's reply brief on the merits is extended to and including November 19, 2001.

No further extensions are contemplated.

S004507 People, Respondent

S004703 v.

Michael Anthony Cox, Appellant

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In re Michael Anthony Cox on Habeas Corpus

*People v. Michael Anthony Cox* (S004703) and *In re Michael Anthony Cox on Habeas Corpus* (S004507) previously consolidated by this court's order of August 18, 1988, are hereby severed.

S052210 People, Respondent

v.

Jerry Rodriguez, Appellant

Upon request of appellant for appointment of counsel, Katherine Alfieri is hereby appointed to represent appellant Jerry Rodriguez for both the direct appeal and related state habeas corpus/executive clemency proceedings in the above automatic appeal now pending in this court.

S092757 In re Willie Branner aka James Willie Johnson

on

Habeas Corpus

Respondent's application for relief from default to file the informal response to the petition for writ of habeas corpus is granted.

S101360      In re James David Majors  
                      on  
                      Habeas Corpus  
                      The request for judicial notice is granted. (Petition for Writ of Habeas Corpus at p. 2.)  
                      The petition for writ of habeas corpus is denied on the merits.

2nd Dist.      Bruce Darian  
 B141543      v.  
                      Ronald Federico  
                      The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Three to Division Five.

2nd Dist.      Anthony Cardinale  
 B148137      v.  
                      Barbara Hearn  
                      The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Five to Division Three.

S080623      In the Matter of the Suspension of Attorneys  
                      Pursuant to Rule 962, California Rules of Court  
                      **Richard Lavern Wyrick, #42504**, was listed by the State Department of Social Services as being in arrears in payment of support obligations. He later obtained the necessary release from the appropriate District Attorney. He has subsequently been identified by the Department of Social Services as again being delinquent. Pursuant to Rule 962(a) of the California Rules of Court, IT IS HEREBY ORDERED that **Richard Lavern Wyrick, #42504**, be suspended from membership in the State Bar of California and from the rights and privileges of an attorney to act from and after December 3, 2001;  
                      IT IS FURTHER ORDERED that upon receipt by the State Bar of California of a release issued by the appropriate District Attorney pursuant to Family Code 17520, the State Bar shall certify the fact of the receipt of such release to the Clerk of the Supreme Court and the suspension shall be terminated by order of this Court and he shall be fully restored to membership in the State Bar of California, and to all

rights and privileges, duties and responsibilities incident thereto;

IT IS FURTHER ORDERED that until restored as above provided, he shall be precluded from practicing as an attorney at law, or an attorney or agent of another in and before all the courts, commissions and tribunals of this state, and from holding himself out to the public as an attorney or counsel at law.

S099345

In the Matter of the Suspension of Attorneys

Pursuant to Rule 962, California Rules of Court

**David Erik Lundin, #61955**, was listed by the State Department of Social Services as being in arrears in payment of support obligations. He later obtained the necessary release from the appropriate District Attorney. He has subsequently been identified by the Department of Social Services as again being delinquent. Pursuant to Rule 962(a) of the California Rules of Court, IT IS HEREBY ORDERED that **David Erik Lundin, #61955**, be suspended from membership in the State Bar of California and from the rights and privileges of an attorney to act from and after December 3, 2001;

IT IS FURTHER ORDERED that upon receipt by the State Bar of California of a release issued by the appropriate District Attorney pursuant to Family Code 17520, the State Bar shall certify the fact of the receipt of such release to the Clerk of the Supreme Court and the suspension shall be terminated by order of this Court and he shall be fully restored to membership in the State Bar of California, and to all rights and privileges, duties and responsibilities incident thereto;

IT IS FURTHER ORDERED that until restored as above provided, he shall be precluded from practicing as an attorney at law, or an attorney or agent of another in and before all the courts, commissions and tribunals of this state, and from holding himself out to the public as an attorney or counsel at law.

S097551

In re **Shere R. Bailey** on Discipline

Petition for writ of review DENIED.

It is ordered that **Shere R. Bailey, State Bar No. 153525**, be suspended from the practice of law in the State of California for a period of five years, that execution of the five-year suspension be stayed, and that she be actually suspended from the practice of law for two years and until: she makes restitution to Mia Heard (or the Client Security Fund, if appropriate) in the amount of \$4,000 plus interest thereon at the rate of 10 percent per annum from



December 9, 1996, and to Nola Seidel (or the Client Security Fund, if appropriate) in the amount of \$550 plus interest thereon at the rate of 10 percent per annum from November 11, 1997, and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of the Chief Trial Counsel; the State Bar Court grants a motion to terminate her actual suspension pursuant to rule 205, Rules of Procedure of the State Bar, and; she provides proof satisfactory to the State Bar Court of her rehabilitation, present fitness to practice, and present learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, as recommended by the Review Department of the State Bar Court in its decision filed March 16, 2001. Shere R. Bailey is also ordered to comply with the conditions of probation, if any, that are reasonably related to the misconduct found in this proceeding and that are hereafter imposed on her by the State Bar Court as a condition for terminating her actual suspension. It is further ordered that she take and pass the Multistate Professional Responsibility Examination within the period of her actual suspension and provide satisfactory proof of passage of said examination to the State Bar's Probation Unit in Los Angeles within said period of actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that she comply with rule 955, California Rules of Court and that she perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.\* Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and payable in accordance with Business and Professions Code section 6140.7.

\*See Business and Professions Code section 6126, subdivision (c).

S100257 In re **Gabriel S. Ganor** on Discipline

It is ordered that **Gabriel S. Ganor, State Bar No. 189905**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for 30 days. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed June 29, 2001. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891,

fn. 8.) Costs are awarded to the State Bar and said costs shall be added to and become part of the membership fees for the year 2005. (Business & Professions Code section 6086.10.)

S100261 In re **Thomas Martin Cox** on Discipline

It is ordered that **Thomas Martin Cox, State Bar No. 122667**, be suspended from the practice of law for six months, that execution of suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for 30 days. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed June 5, 2001. Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in equal installments for membership years 2002, 2003 and 2004.

S100263 In re **Ricardo Lopez Mendoza** on Discipline

It is ordered that **Ricardo Lopez Mendoza, State Bar No. 129356**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for 30 days. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed June 20, 2001. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S100272 In re **Thomas Christopher Webb** on Discipline

It is ordered that **Thomas Christopher Webb, State Bar No. 64699**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be placed on probation for three years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on July 2, 2001. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891,

fn. 8.) Costs are awarded to the State Bar and one-fifth of said costs shall be added to and become part of the membership fees for the years 2002, 2003, 2004, 2005 and 2006. (Bus. & Prof. Code section 6086.10.)

S100275 In re **John Alan Covey** on Discipline

It is ordered that **John Alan Covey, State Bar No. 174935**, be suspended from the practice of law for three years, that execution of the suspension be stayed, and that he be placed on probation for five years on condition that he be actually suspended for two years and until he has shown proof satisfactory to the State Bar Court of respondent's rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. Credit toward the period of actual suspension shall be given for the period of interim suspension which commenced on December 19, 2000. (*In re Young* (1989) 49 Cal.3d 257, 270.) Respondent is further ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on May 31, 2001. It is also ordered that respondent take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in equal installments for membership years 2002, 2003, 2004, 2005 and 2006.